

**U.S. District Court
Eastern District of Virginia - (Alexandria)
CIVIL DOCKET FOR CASE #: 1:18-cv-00641-LMB-IDD**

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Harrison et al v. Spencer et al
Assigned to: District Judge Leonie M. Brinkema
Referred to: Magistrate Judge Ivan D. Davis
Cause: 28:1331 Federal Question

Date Filed: 05/30/2018
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government
Defendant

Plaintiff

Nick Harrison

represented by **Andrew Ryan Sommer**
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Plaintiff

OutServe-SLDN, Inc.
TERMINATED: 03/11/2020

represented by **Andrew Ryan Sommer**
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TERMINATED: 08/28/2019
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Plaintiff

**The Modern Military Association
of America**

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Defendant

Mark Esper
Secretary of the Army

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Defendant**U.S. Department of Defense**

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Defendant

Richard V. Spencer
Acting Secretary of Defense

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Date Filed	#	Docket Text
05/30/2018	1	COMPLAINT against Mark Esper, James N. Mattis, U.S. Department of Defense (Filing fee \$ 400, receipt number 0422-6106987.), filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Civil Cover Sheet)(dvanm,) (Entered: 05/30/2018)
05/30/2018	2	Financial Interest Disclosure Statement (Local Rule 7.1) by OutServe-SLDN, Inc. (dvanm,) (Entered: 05/30/2018)
05/30/2018	3	NOTICE of Appearance by John Webster Hunter Harding on behalf of Nick Harrison, OutServe-SLDN, Inc. (Harding, John) (Entered: 05/30/2018)
05/30/2018	4	NOTICE of Appearance by Andrew Ryan Sommer on behalf of Nick Harrison, OutServe-SLDN, Inc. (Sommer, Andrew) (Entered: 05/30/2018)
05/30/2018	5	Motion to appear Pro Hac Vice by Cyrus T. Frelinghuysen and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6108571. by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 05/30/2018)

05/30/2018	6	Motion to appear Pro Hac Vice by Peter E. Perkowski and Certification of Local Counsel John W. H. Harding Filing fee \$ 75, receipt number 0422-6108600. by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 05/30/2018)
05/30/2018	7	Motion to appear Pro Hac Vice by Scott Schoettes and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6108625. by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 05/30/2018)
05/31/2018		Notice of Correction re 5 Motion to appear Pro Hac Vice by Cyrus T. Frelinghuysen and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6108571. , 7 Motion to appear Pro Hac Vice by Scott Schoettes and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6108625. , 6 Motion to appear Pro Hac Vice by Peter E. Perkowski and Certification of Local Counsel John W. H. Harding Filing fee \$ 75, receipt number 0422-6108600. The filing user has been notified to have the attorney whose signature block appears on the document refile the document. (dvanm,) (Entered: 05/31/2018)
05/31/2018	8	Motion to appear Pro Hac Vice by Cyrus T. Frelinghuysen and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6109023. by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/31/2018)
05/31/2018	9	Motion to appear Pro Hac Vice by Peter E. Perkowski and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6109031. by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/31/2018)
05/31/2018	10	Motion to appear Pro Hac Vice by Scott Schoettes and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number 0422-6109037. by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/31/2018)
06/04/2018	11	ORDER granting 8 Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 06/04/2018. (dvanm,) (Entered: 06/04/2018)
06/04/2018	12	ORDER granting 9 Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 06/04/2018. (dvanm,) (Entered: 06/04/2018)
06/04/2018	13	ORDER granting 10 Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 06/04/2018. (dvanm,) (Entered: 06/04/2018)
06/06/2018	14	Motion to appear Pro Hac Vice by Anthony Pinggera and Certification of Local Counsel John W.H. Harding Filing fee \$ 75, receipt number

		0422-6119231. by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 06/06/2018)
06/08/2018	15	ORDER granting 14 Motion for Pro hac vice by Anthony Pinggera. Signed by District Judge Leonie M. Brinkema on 6/8/18. (gwalk,) (Entered: 06/08/2018)
06/08/2018	16	Proposed Summons <i>to US Attorney for Eastern District of Virginia</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 06/08/2018)
06/08/2018	17	Proposed Summons <i>for Attorney General of the United States of America</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 06/08/2018)
06/08/2018	18	Summons Issued as to All Defendants, U.S. Attorney and U.S. Attorney General NOTICE TO ATTORNEY: Print out two electronically issued summons and one copy of the attachments for each defendant to be served with the complaint. (Attachments: # 1 Notice to Attorney)(gwalk,) (Main Document 18 replaced on 6/8/2018) (gwalk,). (Entered: 06/08/2018)
06/08/2018	19	Summons Issued as to U.S. Attorney General NOTICE TO ATTORNEY: Print out two electronically issued summons and one copy of the attachments for each defendant to be served with the complaint. (gwalk,) (Main Document 19 replaced on 6/8/2018) (gwalk,). (Entered: 06/08/2018)
06/15/2018	20	SUMMONS Returned Executed as to U.S. Department of Defense. (klau,) (Entered: 06/15/2018)
06/15/2018	21	SUMMONS Returned Executed as to James N. Mattis. (klau,) (Entered: 06/15/2018)
06/15/2018	22	SUMMONS Returned Executed as to U.S. Attorney served on 6/12/2018, answer due 8/13/2018.(klau,) (Entered: 06/15/2018)
06/18/2018	23	SUMMONS Returned Executed as to Jeff Sessions. (dvanm,) (Entered: 06/18/2018)
06/22/2018	24	SUMMONS Returned Executed as to Mark Esper by Nick Harrison, OutServe-SLDN, Inc. (dvanm,) (Entered: 06/22/2018)
07/19/2018	25	MOTION for Preliminary Injunction by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 07/19/2018)

07/19/2018	26	Memorandum in Support re 25 MOTION for Preliminary Injunction filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	27	Notice of Under Seal Filing LCvR5 (B) by Nick Harrison, OutServe-SLDN, Inc. (Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	28	MOTION to Seal by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	29	Memorandum in Support re 28 MOTION to Seal filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	30	Sealed Attachment/Exhibit(s) re 26 Memorandum in Support, 27 Notice of Under Seal Filing LCvR5 (B), 28 MOTION to Seal , 29 Memorandum in Support. (Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	31	Sealed Attachment/Exhibit(s) re 26 Memorandum in Support, 27 Notice of Under Seal Filing LCvR5 (B), 28 MOTION to Seal , 29 Memorandum in Support. (Sommer, Andrew) (Entered: 07/19/2018)
07/19/2018	32	ORDER granting 28 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 07/19/2018. (dvanm,) (Entered: 07/19/2018)
07/19/2018		Notice of Correction re 25 MOTION for Preliminary Injunction . The filing user has been notified to file a Notice of Hearing Date or a Notice of Waiver of Oral Argument. (dvanm,) (Entered: 07/19/2018)
07/24/2018	33	ORDER - For good cause shown, it is hereby: ORDERED that Defendants shall file their opposition to Plaintiffs' Motion for Preliminary Injunction by August 16, 2018; it is further ORDERED that Plaintiffs shall file their reply in support of their Motion for Preliminary Injunction by August 29, 2018; it is further ORDERED that Plaintiffs shall set their Motion for Preliminary Injunction for hearing on September 14, 2018. Signed by District Judge Leonie M. Brinkema on 07/24/2018. (dvanm,) (Entered: 07/24/2018)
07/24/2018	34	Notice of Hearing Date re 25 MOTION for Preliminary Injunction (Sommer, Andrew) (Entered: 07/24/2018)

07/24/2018	35	NOTICE of Appearance by R. Trent McCotter on behalf of Mark Esper, James N. Mattis, U.S. Department of Defense (McCotter, R.) (Entered: 07/24/2018)
07/25/2018		Set Deadlines as to 25 MOTION for Preliminary Injunction . Motion Hearing set for 9/14/2018 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (klau,) (Entered: 07/25/2018)
07/31/2018	36	MOTION TO ALTER BRIEFING SCHEDULE by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 07/31/2018)
07/31/2018	37	Notice of Hearing Date <i>AUGUST 10, 2018</i> re 36 MOTION TO ALTER BRIEFING SCHEDULE (McCotter, R.) (Entered: 07/31/2018)
08/01/2018		Set Deadlines as to 36 MOTION TO ALTER BRIEFING SCHEDULE . Motion Hearing set for 8/10/2018 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/01/2018)
08/03/2018	38	Opposition to <i>Motion to Alter Briefing Schedule</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 08/03/2018)
08/06/2018	39	ORDER granting in part and denying in part 36 Motion to Alter Briefing Schedule. ORDERED that defendants must file a combined brief in support of their Motion to Dismiss and opposition to plaintiffs' Motion for Preliminary Injunction, which may not exceed 30 pages, by 8/16/2018; that plaintiffs must file a combined brief in opposition to defendants' Motion to Dismiss and reply in support of their Motion for Preliminary Injunction, which may not exceed 30 pages, by 8/30/2018; that defendants must file their reply in support of their Motion to Dismiss, which may not exceed 20 pages, by 9/7/2018. Signed by District Judge Leonie M. Brinkema on 8/6/2018. (rban,) (Entered: 08/06/2018)
08/16/2018	40	Memorandum in Opposition re 25 MOTION for Preliminary Injunction filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Lute Declaration, # 2 Exhibit Soper Declaration)(McCotter, R.) (Entered: 08/16/2018)
08/16/2018	41	MOTION to Dismiss for Lack of Jurisdiction by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 08/16/2018)

08/16/2018	42	MOTION to Dismiss for Failure to State a Claim by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 08/16/2018)
08/16/2018	43	Memorandum in Support re 41 MOTION to Dismiss for Lack of Jurisdiction , 42 MOTION to Dismiss for Failure to State a Claim filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Lute Declaration, # 2 Exhibit Soper Declaration)(McCotter, R.) (Entered: 08/16/2018)
08/16/2018	44	Notice of Hearing Date set for September 14, 2018 re 41 MOTION to Dismiss for Lack of Jurisdiction , 42 MOTION to Dismiss for Failure to State a Claim (McCotter, R.) (Entered: 08/16/2018)
08/16/2018	45	MOTION to Seal <i>Soper Declaration</i> by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 08/16/2018)
08/16/2018	46	Notice of Filing Sealing Motion LCvR5(C) by Mark Esper, James N. Mattis, U.S. Department of Defense re 45 MOTION to Seal <i>Soper Declaration</i> (McCotter, R.) (Entered: 08/16/2018)
08/16/2018	47	Memorandum in Support re 45 MOTION to Seal <i>Soper Declaration</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 08/16/2018)
08/16/2018	48	Sealed Soper Declaration. (McCotter, R.) (Entered: 08/16/2018)
08/17/2018		Set Deadlines as to 42 MOTION to Dismiss for Failure to State a Claim , 41 MOTION to Dismiss for Lack of Jurisdiction . Motion Hearing set for 9/14/2018 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 08/17/2018)
08/17/2018	49	ORDER granting 45 Motion to Seal to the extent that the entire, un-redacted declaration may be filed and maintained under seal; however, it is alsoORDERED that a copy of this declaration redacted consistent with this Order be filed promptly; and it is further ORDERED that any further requests to file a pleading under seal must include a redacted copy of the pleading which can be filed in the public docket. Signed by District Judge Leonie M. Brinkema on 08/17/2018. (dvanm,) (Entered: 08/17/2018)
08/17/2018	50	Declaration <i>Martha Soper (REDACTED)</i> by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 08/17/2018)

08/30/2018	51	Opposition to 41 MOTION to Dismiss for Lack of Jurisdiction , 42 MOTION to Dismiss for Failure to State a Claim filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 08/30/2018)
08/30/2018	52	Reply to Motion re 25 MOTION for Preliminary Injunction filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 08/30/2018)
09/07/2018	53	REPLY to Response to Motion re 41 MOTION to Dismiss for Lack of Jurisdiction , 42 MOTION to Dismiss for Failure to State a Claim filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3)(Barghaan, Dennis) (Entered: 09/07/2018)
09/10/2018	54	NOTICE by Nick Harrison, OutServe-SLDN, Inc. re: <i>Potential Conflict</i> (Sommer, Andrew) (Entered: 09/10/2018)
09/11/2018	55	NOTICE by Mark Esper, James N. Mattis, U.S. Department of Defense (McCotter, R.) (Entered: 09/11/2018)
09/12/2018	56	MOTION for Leave to File <i>a Sur-Reply (Unopposed)</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 09/12/2018)
09/12/2018	57	Memorandum in Support re 56 MOTION for Leave to File <i>a Sur-Reply (Unopposed)</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit 1)(Sommer, Andrew) (Entered: 09/12/2018)
09/12/2018	58	Notice of Hearing Date set for 9/21/2018 re 56 MOTION for Leave to File <i>a Sur-Reply (Unopposed)</i> (Sommer, Andrew) (Entered: 09/12/2018)
09/13/2018		Set Deadlines as to 56 MOTION for Leave to File <i>a Sur-Reply (Unopposed)</i> . Motion Hearing set for 9/21/2018 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (klau,) (Entered: 09/13/2018)
09/14/2018	59	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing held on 9/14/2018. Appearances of counsel. Pltfs 25 MOTION for Preliminary Injunction and defts 41 MOTION to Dismiss for Lack of Jurisdiction and 42 MOTION to Dismiss for Failure to State a Claim are argued and DENIED. (order to follow) (Court Reporter A. Thomson.)(yguy) (Entered: 09/14/2018)
09/14/2018	60	ORDER: For the reasons stated in open court, it is hereby ORDERED that plaintiffs' Motion for Preliminary Injunction [Dkt. No. 25], defendants' Motion to Dismiss for lack of subject matter jurisdiction

		[Dkt. No. 41], and defendants' Motion to Dismiss for failure to state a claim [Dkt. No. 42] be and are DENIED WITHOUT PREJUDICE. Signed by District Judge Leonie M. Brinkema on 9/14/18. (yguy) (Entered: 09/14/2018)
09/14/2018	61	ORDER denying as moot 56 Motion for Leave to File a Sur-Reply. Signed by District Judge Leonie M. Brinkema on 09/14/2018. (dvanm,) (Entered: 09/14/2018)
09/28/2018	62	ANSWER to 1 Complaint by Mark Esper, James N. Mattis, U.S. Department of Defense.(McCotter, R.) (Entered: 09/28/2018)
10/03/2018	63	SCHEDULING ORDER: Initial Pretrial Conference set for 10/24/2018 at 11:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. Discovery due by 2/15/2019. Final Pretrial Conference set for 2/21/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. Signed by District Judge Leonie M. Brinkema on 10/3/18. (Attachments: # 1 Mag.Consent, # 2 Pretrial Notice)(yguy) (Entered: 10/04/2018)
10/04/2018	64	SCHEDULING ORDER(CORRECTED): Initial Pretrial Conference set for 10/24/2018 at 11:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. Discovery due by 2/15/2019. Final Pretrial Conference set for 2/21/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. Signed by District Judge Leonie M. Brinkema on 10/4/18. (Attachments: # 1 Mag.Consent, # 2 Pretrial Notice)(yguy) (Entered: 10/04/2018)
10/16/2018	65	Joint MOTION for Extension of <i>Deadline of Proposed Discovery Plan</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order Ex. A)(Sommer, Andrew) (Entered: 10/16/2018)
10/17/2018	66	ORDER granting 65 Joint MOTION for Extension of Deadline of Proposed Discovery Plan; deadline is extended by 2 days to October 19, 2018. Signed by Magistrate Judge Ivan D. Davis on 10/17/2018. (aott) (Entered: 10/17/2018)
10/19/2018	67	<i>Joint Proposed</i> Discovery Plan by Nick Harrison, OutServe-SLDN, Inc..(Sommer, Andrew) (Entered: 10/19/2018)
10/22/2018	68	Order Rule 16(b) Scheduling Order. Because the parties' Proposed Joint Discovery Plan 67 adequately addresses the matters that would be discussed during the initial pretrial conference and counsel consent to waiving their appearances at the initial pretrial conference, the initial pretrial conference scheduled for October 24, 2018, pursuant to Rule 16(b) and this Court's October 4, 2018 Order, is cancelled. Upon consideration of the representations made by the parties in their

		Proposed Joint Discovery Plan, the Court makes the following rulings: The parties' Joint Discovery Plan is approved and shall control discovery to the extent of its application unless further modified by the Court(see order for further details). Signed by Magistrate Judge Ivan D. Davis on 10/22/2018. (lgue,) (Entered: 10/22/2018)
11/02/2018	69	MOTION for Protective Order <i>Agreed-Upon Protective Order and Agreed-Upon Electronically-Stored Information Order</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order Ex. A, # 2 Proposed Order Ex. B)(Sommer, Andrew) (Entered: 11/02/2018)
11/06/2018	70	ORDER granting 69 Motion for ELECTRONICALLY STORED INFORMATION. Signed by Magistrate Judge Ivan D. Davis on 11/6/2018. (dvanm,) (Entered: 11/06/2018)
11/06/2018	71	ORDER granting 69 MOTION for Protective Order filed by OutServe-SLDN, Inc., Nick Harrison. Signed by Magistrate Judge Ivan D. Davis on 11/06/2018. (dvanm,) (Entered: 11/06/2018)
11/20/2018	72	MOTION to Compel <i>Production of Documents</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 11/20/2018)
11/20/2018	73	Memorandum in Support re 72 MOTION to Compel <i>Production of Documents</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Sommer, Andrew) (Entered: 11/20/2018)
11/20/2018	74	Notice of Hearing Date set for November 30, 2018 re 72 MOTION to Compel <i>Production of Documents</i> , 73 Memorandum in Support (Sommer, Andrew) (Entered: 11/20/2018)
11/21/2018		Set Deadlines as to 72 MOTION to Compel <i>Production of Documents</i> . Motion Hearing set for 11/30/2018 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (clar,) (Entered: 11/21/2018)
11/21/2018		MOTIONS REFERRED to Magistrate Judge: Davis. 72 MOTION to Compel <i>Production of Documents</i> (clar,) (Entered: 11/21/2018)
11/21/2018	75	Consent MOTION to Amend/Correct 68 Order Rule 16(b) Scheduling Order,,, by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 11/21/2018)
11/21/2018	76	Memorandum in Support re 75 Consent MOTION to Amend/Correct 68 Order Rule 16(b) Scheduling Order,,, filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 11/21/2018)

11/26/2018	77	ORDER granting 75 Motion to Modify the Rule 16(B) Scheduling Order. Signed by Magistrate Judge Ivan D. Davis on 11/26/2018. (see Order for details) (dvanm,) (Entered: 11/26/2018)
11/28/2018	78	Memorandum in Opposition re 72 MOTION to Compel <i>Production of Documents</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Def Response to Pls 1st RFP, # 2 Exhibit Doe Order, # 3 Exhibit Report to Congress, # 4 Exhibit Transcript of Hearing, # 5 Exhibit Pls 1st RFP)(McCotter, R.) (Entered: 11/28/2018)
11/29/2018	79	REPLY to Response to Motion re 72 MOTION to Compel <i>Production of Documents</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Sommer, Andrew) (Entered: 11/29/2018)
11/30/2018	80	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis: Motion Hearing held on 11/30/2018 re 72 MOTION to Compel <i>Production of Documents</i> filed by OutServe-SLDN, Inc., Nick Harrison. Appearance of Counsel for Plaintiff and Defendant. Motion argued and GRANTED in part and DENIED in part. The Court requires the Defendants to produce documents by close of business on 12/28/2018. Order to follow. (Tape #FTR.)(lgue,) (Entered: 11/30/2018)
11/30/2018	81	ORDER - FOR REASONS stated from the bench and in accord with specific rulings and instructions thereto, it is hereby ORDERED that Plaintiffs' Motion to Compel Production of Documents 72 is GRANTED in part and DENIED in part. The Defendants are to produce the documents by December 28, 2018, by close of business. Signed by Magistrate Judge Ivan D. Davis on 11/30/2018. (lgue,) (Entered: 11/30/2018)
12/14/2018	82	MOTION to Compel <i>Responses to Interrogatories</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 12/14/2018)
12/14/2018	83	Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 12/14/2018)
12/14/2018	84	Memorandum in Support re 82 MOTION to Compel <i>Responses to Interrogatories</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Sommer, Andrew) (Entered: 12/14/2018)

12/14/2018	85	Memorandum in Support re 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Plaintiffs' 1st Interrogatories, # 2 Exhibit Plaintiffs' 1st Requests for Admissions, # 3 Exhibit Plaintiffs' 2nd Request for Production of Documents, # 4 Exhibit Plaintiffs' Notice of 30(b)(6) Deposition, # 5 Exhibit Sept. 14 Transcript, # 6 Exhibit Plaintiffs' 1st Request for Production of Documents, # 7 Exhibit Defendants' Objections to 1st RFP, # 8 Exhibit Nov. 30 Transcript, # 9 Exhibit 2018 Report to Congress, # 10 Exhibit Nov. 28 Plaintiffs' Counsel Letter)(McCotter, R.) (Entered: 12/14/2018)
12/14/2018	86	Notice of Hearing Date set for December 21, 2018 re 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, (McCotter, R.) (Entered: 12/14/2018)
12/14/2018	87	Notice of Hearing Date set for 12/21/2018 re 82 MOTION to Compel <i>Responses to Interrogatories</i> (Sommer, Andrew) (Entered: 12/14/2018)
12/17/2018		Set Deadlines as to 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, . Motion Hearing set for 12/21/2018 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 12/17/2018)
12/17/2018		Set Deadlines as to 82 MOTION to Compel <i>Responses to Interrogatories</i> . Motion Hearing set for 12/21/2018 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (clar,) (Entered: 12/17/2018)
12/17/2018		MOTIONS REFERRED to Magistrate Judge: Davis. 82 MOTION to Compel <i>Responses to Interrogatories</i> (clar,) (Entered: 12/17/2018)
12/18/2018	88	Consent MOTION to Modify Rule 16(B) Scheduling Order by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 12/18/2018)
12/18/2018	89	Memorandum in Support re 88 Consent MOTION to Modify Rule 16(B) Scheduling Order filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A: Proposed Order)(Sommer, Andrew) (Entered: 12/18/2018)
12/18/2018	90	ORDER granting 88 Motion to Modify the Rule 16(B). Signed by Magistrate Judge Ivan D. Davis on 12/18/2018. (dvanm,) (Entered: 12/18/2018)

12/19/2018	91	Response to 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Sommer, Andrew) (Entered: 12/19/2018)
12/19/2018	92	NOTICE by Nick Harrison, OutServe-SLDN, Inc. of <i>Related Proceeding</i> (Sommer, Andrew) (Entered: 12/19/2018)
12/19/2018	93	Memorandum in Opposition re 82 MOTION to Compel <i>Responses to Interrogatories</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Dec 11 emails, # 2 Exhibit Dec 12-13 emails, # 3 Exhibit Defs' responses to ROGs, # 4 Exhibit Nov 30 transcript, # 5 Exhibit Declaration)(McCotter, R.) (Entered: 12/19/2018)
12/20/2018	94	Reply to 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel, filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 12/20/2018)
12/20/2018		Reset Deadlines as to 82 MOTION to Compel <i>Responses to Interrogatories</i> . Motion Hearing set for 1/4/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (Per IDD chambers) (clar,) (Entered: 12/20/2018)
12/20/2018	95	REPLY to Response to Motion re 82 MOTION to Compel <i>Responses to Interrogatories</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 12/20/2018)
12/21/2018	96	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing held on 12/21/2018. Appearances of counsel. 83 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 81 Order on Motion to Compel is argued and OVERRULED. Magistrate judge's order is AFFIRMED. (order to follow) (Court Reporter A. Thomson.)(yguy) (Entered: 12/21/2018)
12/21/2018	97	TRANSCRIPT of proceedings held on 12/21/2018, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it

		may be obtained through PACER Redaction Request due 1/22/2019. Redacted Transcript Deadline set for 2/20/2019. Release of Transcript Restriction set for 3/21/2019.(thomson, anneliese) (Entered: 12/21/2018)
12/21/2018	98	ORDER: For the reasons stated in open court. Non-parties United States Navy, United States Coast Guard, United States Air Force, and United States Marine Corps's Rule 72 Objections to Magistrate Judge's Non-dispositive Ruling [Dkt. No. 83] are OVERRULED, and it is hereby ORDERED that the magistrate judge's Order [Dkt. No. 81] be and is AFFIRMED.. Signed by District Judge Leonie M. Brinkema on 12/21/18. (yguy) (Entered: 12/21/2018)
12/27/2018	99	Consent MOTION Modify Discovery Response Deadlines and Rule 16(B) Scheduling Order by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 12/27/2018)
12/27/2018	100	ORDER granting 99 Consent MOTION Modify Discovery Response Deadlines and Rule 16(B) Scheduling Order. ORDERED that on or before January 4, 2019, at 5:00 p.m. Defendants shall serve their responses to plaintiffs' second set of requests for production and first set of requests for admission; and it is further ORDERED that on or before January 4, 2019, at 5:00 p.m. Plaintiffs shall serve their expert witness disclosures on Defendants. Signed by District Judge Leonie M. Brinkema on 12/27/2018. (dest,) (Entered: 12/27/2018)
01/03/2019	101	Withdrawal of Motion by Nick Harrison, OutServe-SLDN, Inc. re 82 MOTION to Compel <i>Responses to Interrogatories</i> (Sommer, Andrew) (Entered: 01/03/2019)
01/04/2019	102	Joint MOTION to Modify the Scheduling Order in the Harrison case and for Entry of Briefing Schedule and Scheduling Order in the Roe Case by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 01/04/2019)
01/04/2019	103	Memorandum in Support re 102 Joint MOTION to Modify the Scheduling Order in the Harrison case and for Entry of Briefing Schedule and Scheduling Order in the Roe Case filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 01/04/2019)
01/04/2019	104	Consent MOTION to Modify the Rule 16(B) Scheduling Order by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 01/04/2019)

01/04/2019	105	ORDER granting 104 Motion for an enlargement of the deadlines for the disclosure of plaintiffs' experts' opinions. ORDERED that on or before January 9, 2019, at 5:00 p.m., Plaintiffs shall serve their expert witness disclosures on Defendants. Signed by District Judge Leonie M. Brinkema on 01/04/2019. (dvanm,) (Entered: 01/04/2019)
01/04/2019	106	ORDERED that the 102 joint motion is GRANTED with the following exceptions: the cut-off date for all discovery is Friday, May 10, 2019 and the final pretrial for both civil actions will be held at 10:00 a.m. on Thursday, May 16, 2019, and it is further ORDERED that the parties Proposed Consolidated Discovery Schedule is approved and shall control discovery to the extent of its application unless further modified by the Court. Signed by District Judge Leonie M. Brinkema on 1/4/2019. (dvanm,) (Entered: 01/04/2019)
01/04/2019		Reset Scheduling Order Deadlines: Final Pretrial Conference set for 5/16/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (dvanm,) (Entered: 01/04/2019)
01/25/2019	107	MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 01/25/2019)
01/25/2019	108	Memorandum in Support re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 01/25/2019)
01/25/2019	109	Notice of Hearing Date set for February 1, 2019 re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> (Sommer, Andrew) (Entered: 01/25/2019)
01/25/2019	110	EXHIBIT 1-6 of Memorandum in Support of Motion to Compel (docket entry 108) by Nick Harrison, OutServe-SLDN, Inc... (Attachments: # 1 Exhibit 2, # 2 Exhibit 3, # 3 Exhibit 4, # 4 Exhibit 5, # 5 Errata 6)(Sommer, Andrew) (Entered: 01/25/2019)
01/28/2019		Set Deadlines as to 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> . Motion Hearing set for 2/1/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (clar,) (Entered: 01/28/2019)
01/28/2019		MOTIONS REFERRED to Magistrate Judge: Davis. 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> (clar,) (Entered: 01/28/2019)

01/30/2019	111	Opposition to 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit Badhi Declaration, # 2 Exhibit Beland Declaration, # 3 Exhibit Ciminera Declaration, # 4 Exhibit Huibregtse Declaration, # 5 Exhibit Melillo Declaration, # 6 Exhibit Shell Declaration)(McCotter, R.) (Entered: 01/30/2019)
01/31/2019	112	REPLY to Response to Motion re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Sommer, Andrew) (Entered: 01/31/2019)
02/01/2019	113	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Motion Hearing held on 2/1/2019 re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by OutServe-SLDN, Inc., Nick Harrison. Appearance of Counsel for Plaintiff and Defendant. Motion argued and held in abeyance. Order to follow. (Tape #FTR.)(lgue,) (Entered: 02/01/2019)
02/01/2019	114	ORDER - FOR REASONS stated from the bench and in accord with specific rulings and instructions thereto, it is hereby ORDERED that Plaintiffs' Motion to Compel Documents and Information Withheld on the Basis of Deliberative Process Privilege 107 is HELD IN ABEYANCE. By 5 p.m. on February 5, 2019, the Parties shall file a notice of whether the outstanding discovery disputes have been resolved. If the discovery issues have not been resolved, then the Parties shall set forth the remaining discovery issues and the Court will reconvene this Motion on February 8, 2019, at 10 a.m. Signed by Magistrate Judge Ivan D. Davis on 2/1/2019. (lgue,) (Entered: 02/01/2019)
02/04/2019	115	TRANSCRIPT of proceedings held on 2/1/2019, before Judge Ivan D. Davis, Transcriber Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS:The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 3/6/2019. Redacted Transcript Deadline set

		for 4/8/2019. Release of Transcript Restriction set for 5/6/2019.(thomson, anneliese) (Entered: 02/04/2019)
02/05/2019	116	STATUS REPORT by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Sommer, Andrew) (Entered: 02/05/2019)
02/06/2019		Set Deadlines as to 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> . Motion Hearing set for 2/8/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (lgue,) (Entered: 02/06/2019)
02/08/2019	117	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Motion Hearing held on 2/8/2019 re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by OutServe-SLDN, Inc., Nick Harrison. Appearances of counsel for Pltf and Deft. Motion is argued and further held in abeyance (see Order for details); Order to follow. (Tape #FTR.)(tfitz,) (Entered: 02/08/2019)
02/08/2019	118	FOR REASONS stated from the bench and in accord with specific rulings and instructions thereto, it is hereby ORDERED that Plaintiffs' Motion to Compel Documents and Information Withheld on the Basis of Deliberative Process Privilege 107 is FURTHER HELD IN ABEYANCE. The Court will conduct an in camera review of the documents at issue in this case to determine whether the deliberative process privilege applies and whether the documents have been properly withheld. The parties shall randomly select documents for an in camera review and shall produce those documents to the Court on Tuesday, February 12, 2019, by 5 p.m. Signed by Magistrate Judge Ivan D. Davis on 2/8/19. (tfitz,) (Entered: 02/08/2019)
02/12/2019	119	MOTION to Seal by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 02/12/2019)
02/12/2019	120	Notice of Filing Sealing Motion LCvR5(C) by Mark Esper, James N. Mattis, U.S. Department of Defense re 119 MOTION to Seal (McCotter, R.) (Entered: 02/12/2019)
02/12/2019	121	Memorandum in Support re 119 MOTION to Seal filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 02/12/2019)
02/19/2019		Reset Deadlines as to 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> .

		Motion Hearing set for 2/22/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (Per IDD chambers) (clar,) (Entered: 02/19/2019)
02/21/2019	122	ORDER granting 119 Motion to Seal. Signed by Magistrate Judge Ivan D. Davis on 02/21/2019. (dvanm,) (Entered: 02/21/2019)
02/22/2019	123	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis: Motion Hearing held on 2/22/2019 re 107 MOTION to Compel <i>Documents and Information withheld on the basis of Deliberative Process Privilege</i> filed by OutServe-SLDN, Inc., Nick Harrison. Appearance of Counsel for Plaintiff and Defendant. Motion argued and held in abeyance. Order to follow. (Tape #FTR.)(lgue,) (Entered: 02/22/2019)
02/22/2019	124	ORDER - FOR REASONS stated from the bench and in accord with specific rulings and instructions thereto, it is hereby ORDERED that Plaintiffs' Motion to Compel Documents and Information Withheld on the Basis of Deliberative Process Privilege 107 is FURTHER HELD IN ABEYANCE. The parties are ordered to narrow the discovery dispute in a good faith meet and confer because the Court finds that Defendants have argued an overly broad deliberative process privilege defense. The parties shall file a joint status report of this discovery dispute by February 27, 2019, at 5 p.m. The Court intends to rule on the papers for this Motion unless the parties indicate otherwise in their joint status report. Signed by Magistrate Judge Ivan D. Davis on 02/22/2019. (lgue,) (Entered: 02/22/2019)
02/27/2019	125	TRANSCRIPT of proceedings held on 2/22/2019, before Judge Ivan D. Davis, Transcriber Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 3/29/2019. Redacted Transcript Deadline set for 4/29/2019. Release of Transcript Restriction set for 5/28/2019.(thomson, anneliese) (Entered: 02/27/2019)
02/27/2019	126	STATUS REPORT <i>Joint Status Report Pursuant to the Court's February 22, 2019 Order</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A)(Sommer, Andrew) (Entered: 02/27/2019)

03/07/2019	127	NOTICE by Mark Esper, James N. Mattis, U.S. Department of Defense <i>WITHDRAWAL OF PRIVILEGE ASSERTION OVER SPECIFIED DOCUMENTS</i> (McCotter, R.) (Entered: 03/07/2019)
03/14/2019	128	ORDER granting 107 MOTION to Compel Documents and Information withheld on the basis of Deliberative Process Privilege. Signed by Magistrate Judge Ivan D. Davis on 1/14/2019. (aott) (Entered: 03/14/2019)
03/15/2019	129	Joint MOTION to Amend/Correct <i>the Scheduling Order for the Limited Purpose of Taking Several Depositions Out of Time</i> by Nick Harrison, OutServe-SLDN, Inc.. (Sommer, Andrew) (Entered: 03/15/2019)
03/15/2019	130	Memorandum in Support re 129 Joint MOTION to Amend/Correct <i>the Scheduling Order for the Limited Purpose of Taking Several Depositions Out of Time</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Sommer, Andrew) (Entered: 03/15/2019)
03/15/2019	131	ORDER granting 129 Joint Motion to Amend the Scheduling Order for the Limited Purpose of Taking Several Depositions Out of Time ; directing that depositions of parties identified in the motion occur no later than 3/25/2019. Signed by Magistrate Judge Ivan D. Davis on 3/15/2019. (aott) (Entered: 03/15/2019)
03/22/2019	132	MOTION to Stay re 128 Order on Motion to Compel by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 03/22/2019)
03/22/2019	133	Memorandum in Support re 132 MOTION to Stay re 128 Order on Motion to Compel filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 03/22/2019)
03/22/2019	134	Notice of Hearing Date set for March 29, 2019 re 132 MOTION to Stay re 128 Order on Motion to Compel (McCotter, R.) (Entered: 03/22/2019)
03/25/2019		Set Deadlines as to 132 MOTION to Stay re 128 Order on Motion to Compel . Motion Hearing set for 3/29/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (clar,) (Entered: 03/25/2019)
03/25/2019		MOTIONS REFERRED to Magistrate Judge: Davis. 132 MOTION to Stay re 128 Order on Motion to Compel (clar,) (Entered: 03/25/2019)
03/27/2019	135	Opposition <i>Plaintiffs' Limited Opposition to Defendants' Motion to Stay Compliance with the Magistrate Judge's Order</i> filed by Nick Harrison,

		OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Sommer, Andrew) (Entered: 03/27/2019)
03/28/2019	136	REPLY to Response to Motion re 132 MOTION to Stay re 128 Order on Motion to Compel filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, Richard) (Entered: 03/28/2019)
03/28/2019	137	Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, Richard) (Entered: 03/28/2019)
03/28/2019	138	Memorandum in Support re 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, Richard) (Entered: 03/28/2019)
03/28/2019	139	Notice of Hearing Date set for April 5, 2019 re 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel (McCotter, Richard) (Entered: 03/28/2019)
03/29/2019		Set Deadlines as to 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel . Motion Hearing set for 4/5/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 03/29/2019)
03/29/2019	140	Minute Entry for proceedings held before Magistrate Judge Ivan D. Davis:Motion Hearing held on 3/29/2019 re 132 MOTION to Stay re 128 Order on Motion to Compel filed by U.S. Department of Defense, James N. Mattis, Mark Esper. Appearance of Counsel for Plaintiff and Defendant. Motion argued and GRANTED. Order to follow. (Tape #FTR.)(lgue,) (Entered: 03/29/2019)
03/29/2019	141	ORDER - FOR REASONS stated from the bench and in accord with specific rulings and instructions thereto, it is hereby ORDERED that Defendants' Motion to Stay 132 is GRANTED. Signed by Magistrate Judge Ivan D. Davis on 03/29/2019. (lgue,) (Entered: 03/29/2019)
03/29/2019	142	NOTICE by Mark Esper, James N. Mattis, U.S. Department of Defense <i>SUBMISSION OF COURTESY COPY OF EX PARTE UNDER SEAL MATERIALS</i> (McCotter, Richard) (Entered: 03/29/2019)
04/03/2019	143	Motion to appear Pro Hac Vice by Alexandra Jane Hemmings and Certification of Local Counsel John W.H. Harding by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 04/03/2019)

04/03/2019	144	Response to the Government's Rule 72 Objections to Magistrate Judge's Non-Dispositive Ruling Regarding the Deliberative Process Privilege filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Sommer, Andrew) (Entered: 04/03/2019)
04/04/2019	145	ORDERED that the hearing on defendants' objections 137 be and is RESCHEDULED for Friday, April 12, 2019. Signed by District Judge Leonie M. Brinkema on 4/4/2019. (dvanm,) (Entered: 04/04/2019)
04/04/2019		Reset Deadlines as to 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel . Motion Hearing set for 4/12/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (dvanm,) (Entered: 04/04/2019)
04/04/2019	146	REPLY to Response to Motion re 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit 2018 Report to Congress)(McCotter, Richard) (Entered: 04/04/2019)
04/08/2019	147	ORDER granting 143 Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 4/8/2019. (dvanm,) (Entered: 04/08/2019)
04/12/2019	148	Minute Entry for proceedings held before District Judge Leonie M. Brinkema: Motion Hearing held on 4/12/2019. Appearances of counsel. Defts' 137 Motion Re: Objections to Magistrate Judge's Ruling or Recommendation re 128 Order on Motion to Compel is argued and TAKEN UNDER ADVISEMENT. (Court Reporter A. Thomson.)(yguy) (Entered: 04/12/2019)
04/12/2019	149	For the reasons stated in open court, it is hereby ORDERED that defendants' Rule 72 Objections to Magistrate Judge's Nondispositive Ruling [Dkt. No. 137] is TAKEN UNDER ADVISEMENT. Signed by District Judge Leonie M. Brinkema on 4/12/19. (yguy) (Entered: 04/12/2019)
04/12/2019	150	NOTICE by Mark Esper, James N. Mattis, U.S. Department of Defense (McCotter, Richard) (Entered: 04/12/2019)
05/02/2019	151	Joint MOTION to Modify the Scheduling Order for the Limited Purpose of Taking a Deposition Out of Time by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/02/2019)

05/02/2019	152	Memorandum in Support re 151 Joint MOTION to Modify the Scheduling Order for the Limited Purpose of Taking a Deposition Out of Time filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 05/02/2019)
05/03/2019	153	ORDER granting 151 Joint Motion to Modify the Scheduling Order. Signed by Magistrate Judge Ivan D. Davis on 5/3/2019. (dvanm,) (Entered: 05/03/2019)
05/03/2019	154	MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 05/03/2019)
05/03/2019	155	Memorandum in Support re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Exhibit E, # 4 Exhibit N, # 5 Exhibit O, # 6 Exhibit Q, # 7 Exhibit R)(McCotter, R.) (Entered: 05/03/2019)
05/03/2019	156	MOTION to Seal by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 05/03/2019)
05/03/2019	157	Memorandum in Support re 156 MOTION to Seal filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 05/03/2019)
05/03/2019	158	Notice of Under Seal Filing LCvR5 (B) by Mark Esper, James N. Mattis, U.S. Department of Defense (McCotter, R.) (Entered: 05/03/2019)
05/03/2019	159	Sealed Attachment/Exhibit(s) FOR PARTIAL MOTION TO DISMISS. (McCotter, R.) (Entered: 05/03/2019)
05/03/2019	160	Notice of Hearing Date set for MAY 31, 2019 re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> (McCotter, R.) (Entered: 05/03/2019)
05/06/2019	161	ORDER granting 156 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 05/06/2019. (jlan) (Entered: 05/06/2019)
05/06/2019		Set Deadlines as to 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> . Motion Hearing set for 5/31/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 05/06/2019)

05/13/2019	162	NOTICE of Appearance by Laura Joy Cooley on behalf of Nick Harrison, OutServe-SLDN, Inc. (Cooley, Laura) (Entered: 05/13/2019)
05/13/2019		Set/Reset Hearings: Final Pretrial Conference reset for 5/16/2019 at 09:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (yguy) (Entered: 05/13/2019)
05/14/2019	163	Joint MOTION to Enlarge Time to File Pretrial Disclosures by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/14/2019)
05/14/2019	164	Memorandum in Support re 163 Joint MOTION to Enlarge Time to File Pretrial Disclosures filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 05/14/2019)
05/14/2019	165	ORDERED that the 163 Parties' Joint Motion to Enlarge Time to File Pretrial Disclosures is granted, and that the Parties shall file the pretrial disclosures required by the scheduling order entered in Harrison v. Shanahan see Dkt. 64 on or before May 30,2019. Signed by District Judge Leonie M. Brinkema on 05/14/2019. (dvanm,) (Entered: 05/14/2019)
05/16/2019	166	Minute Entry for proceedings held before District Judge Leonie M. Brinkema:Final Pretrial Conference held on 5/16/2019. Appearances of counsel. Court advised of case status. Deadline to file witness/exhibits list previously extended to May 30th. Trial estimate - 1 week. Bench Trial set for 9/9/2019at 09:30 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (Court Reporter A. Thomson.)(yguy) (Entered: 05/16/2019)
05/17/2019	167	NOTICE by Mark Esper, James N. Mattis, U.S. Department of Defense re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART Filing of Redacted Exhibits A, D, F-M, P</i> (McCotter, R.) (Entered: 05/17/2019)
05/17/2019	168	Opposition to <i>Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit C, # 3 Exhibit D, # 4 Exhibit E)(Harding, John) (Entered: 05/17/2019)
05/17/2019	169	MOTION to Seal <i>Exhibits B and F-L</i> filed <i>Simultaneously with Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss Plaintiff OutServe-SLDN</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 05/17/2019)
05/17/2019	170	Notice of Filing Sealing Motion LCvR5(C) by Nick Harrison, OutServe-SLDN, Inc. re 169 MOTION to Seal <i>Exhibits B and F-L</i> filed

		<i>Simultaneously with Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss Plaintiff OutServe-SLDN</i> (Harding, John) (Entered: 05/17/2019)
05/17/2019	171	Sealed Document re 169 MOTION to Seal <i>Exhibits B and F-L filed Simultaneously with Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss Plaintiff OutServe-SLDN</i> . (Attachments: # 1 Exhibit F, # 2 Exhibit G, # 3 Exhibit H, # 4 Exhibit I, # 5 Exhibit J, # 6 Exhibit K, # 7 Exhibit L)(Harding, John) (Entered: 05/17/2019)
05/17/2019	172	Memorandum in Support re 169 MOTION to Seal <i>Exhibits B and F-L filed Simultaneously with Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss Plaintiff OutServe-SLDN</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 05/17/2019)
05/21/2019	173	ORDERED that Exhibits B and F-L in support of Plaintiffs' Opposition Defendants' Renewed Motion to Dismiss Plaintiff OutServe-SLDN may remain filed imder seal, and that Plaintiffs publicly file redacted versions of Exhibits B and F-L by May 29,2019. Signed by District Judge Leonie M. Brinkema on 05/21/2019. (dvanm,) (Entered: 05/21/2019)
05/21/2019	174	Motion to appear Pro Hac Vice by Kara Nicole Ingelhart and Certification of Local Counsel Laura Cooley Filing fee \$ 75, receipt number 0422-6652074. by Nick Harrison, OutServe-SLDN, Inc.. (Cooley, Laura) (Entered: 05/21/2019)
05/22/2019	175	MEMORANDUM OPINION. Signed by District Judge Leonie M. Brinkema on 5/22/2019. (dvanm,) (Entered: 05/22/2019)
05/22/2019	176	ORDER For the reasons stated in the accompanying Memorandum Opinion, defendants' Rule 72 Objections to Magistrate Judge's Nondispositive Ruling 137 are SUSTAINED IN PART and OVERRULED IN PART, the magistrate judge's Order 128 is AFFIRMED IN PART and REVERSED IN PART, plaintiffs' Motion to Compel Documents and Information Withheld on the Basis of the Deliberative Process Privilege 108 is GRANTED IN PART and DENIED IN PART. Signed by District Judge Leonie M. Brinkema on 5/22/2019. (dvanm,) (Entered: 05/22/2019)
05/22/2019		Reset Deadlines as to 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> . Motion Hearing set for 5/31/2019 at 09:30 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (Per LMB chambers) (clar,) (Entered: 05/22/2019)
05/23/2019	177	REPLY to Response to Motion re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> filed by Mark Esper, James N. Mattis, U.S.

		Department of Defense. (Attachments: # 1 Exhibit S, # 2 Exhibit T)(McCotter, R.) (Entered: 05/23/2019)
05/29/2019	178	Consent MOTION for Extension of <i>Time to File and Exchange Rule 26 Disclosures</i> by Mark Esper, James N. Mattis, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 05/29/2019)
05/29/2019	179	Memorandum in Support re 178 Consent MOTION for Extension of <i>Time to File and Exchange Rule 26 Disclosures</i> filed by Mark Esper, James N. Mattis, U.S. Department of Defense. (McCotter, R.) (Entered: 05/29/2019)
05/29/2019	180	Redacted version of <i>Exhibits B, F-L in relation to Order granting Motion to Seal entered May 20,2019</i> . (Attachments: # 1 Exhibit F, # 2 Exhibit G, # 3 Exhibit H, # 4 Exhibit I, # 5 Exhibit J, # 6 Exhibit K, # 7 Exhibit L)(Harding, John) (Entered: 05/29/2019)
05/29/2019	181	ORDERED that the 178 Defendants' Consent Motion to Enlarge Time to File Pretrial Disclosures is granted, and that the Parties shall file the pretrial disclosures required by the scheduling order entered in Harrison v. Shanahan, see Dkt. 64 on or before June 5, 2019. Signed by District Judge Leonie M. Brinkema on 05/29/2019. (dvanm,) (Entered: 05/30/2019)
05/30/2019		Reset Deadlines as to 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> . Motion Hearing set for 5/31/2019 at 09:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (Per LMB chambers) (clar,) (Entered: 05/30/2019)
05/31/2019	182	Minute Entry for proceedings held before District Judge Leonie M. Brinkema:Motion Hearing held on 5/31/2019. Appearances of counsel. Defts 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> is argued and <i>HELD IN ABEYANCE</i> . (order to follow) (Court Reporter A. Thomson.)(yguy) (Entered: 05/31/2019)
05/31/2019	183	ORDER: For the reasons stated in open court, Defendants' Renewed Motions to Dismiss [l:18-cv-641,Dkt.No. 154; l:18-cv-1565, Dkt. No. 118]' are HELD IN ABEYANCE, and it is hereby ORDERED that the parties have until the close of business on Monday, July 1, 2019 to conduct additional discovery with respect to whether plaintiff OutServe-SLDN, Inc. has associational and/or direct standing. If the additional discovery period does not reveal any further facts that merit attention, the parties should so advise the Court. Alternatively, if any party wishes to submit additional briefing related to newly discovered evidence, it must do so no later than Friday, July 12,2019. Any briefs in opposition must be filed by Friday, July 19,2019, and no reply briefs

		will be permitted. (see order for details). Signed by District Judge Leonie M. Brinkema on 5/31/19. (yguy) (Entered: 05/31/2019)
05/31/2019	184	NOTICE by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense <i>DELIVERY OF EX PARTE AND UNDER SEAL MATERIALS</i> (McCotter, R.) (Entered: 05/31/2019)
06/03/2019	185	ORDERED that defendants need not produce to plaintiffs any of the redactions or withheld documents included in their ex parte submission. Signed by District Judge Leonie M. Brinkema on 06/03/2019. (dvanm,) (Entered: 06/03/2019)
06/04/2019	186	ORDER granting 174 Motion for Pro hac vice. Signed by District Judge Leonie M. Brinkema on 06/04/2019. (dvanm,) (Entered: 06/04/2019)
06/05/2019	187	Exhibit List by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense.. (McCotter, R.) (Entered: 06/05/2019)
06/05/2019	188	Witness List by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (McCotter, R.) (Entered: 06/05/2019)
06/05/2019	189	Exhibit List by Nick Harrison, OutServe-SLDN, Inc... (Harding, John) (Entered: 06/05/2019)
06/05/2019	190	Witness List by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 06/05/2019)
06/05/2019	191	Statement of Undisputed Facts by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 06/05/2019)
06/12/2019	192	TRANSCRIPT of proceedings held on 5/31/2019, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 7/12/2019. Redacted Transcript Deadline set for 8/12/2019. Release of Transcript Restriction set for 9/10/2019.(thomson, anneliese) (Entered: 06/12/2019)

06/17/2019	193	Objection to 189 Exhibit List filed by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (McCotter, R.) (Entered: 06/17/2019)
06/17/2019	194	Objection to 187 Exhibit List by <i>Mark Esper, Patrick M. Shanahan, U.S. Department of Defense</i> , (Harding, John) Modified on 6/18/2019 document linked erroneously (dest,). (Entered: 06/17/2019)
06/17/2019	195	Objection to 188 Witness List filed by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 06/17/2019)
06/19/2019	196	<i>Plaintiffs' First Supplemental</i> Exhibit List by Nick Harrison, OutServe-SLDN, Inc... (Harding, John) (Entered: 06/19/2019)
06/21/2019	197	Joint MOTION to Modify the Court's Order for the Limited Purpose of Taking a Deposition Out of Time by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 06/21/2019)
06/21/2019	198	Memorandum in Support re 197 Joint MOTION to Modify the Court's Order for the Limited Purpose of Taking a Deposition Out of Time filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 06/21/2019)
06/24/2019	199	ORDER - After considering the 197 Parties' Joint Motion to Modify the Court's Order for the Limited Purpose of Taking a Deposition Out of Time, the Court GRANTS the Motion, and amends the Order to permit the deposition of Andy Blevins to occur on July 2, 2019. Signed by Magistrate Judge Ivan D. Davis on 06/24/2019. (dvanm,) (Entered: 06/24/2019)
07/01/2019	200	Objection to 196 Exhibit List filed by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (McCotter, R.) (Entered: 07/01/2019)
07/03/2019	201	Consent MOTION to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 07/03/2019)
07/03/2019	202	Memorandum in Support re 201 Consent MOTION to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 07/03/2019)
07/03/2019	203	Notice of Hearing Date set for July 12, 2019 re 201 Consent MOTION to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time (Harding, John) (Entered: 07/03/2019)

07/05/2019		Set Deadlines as to 201 Consent MOTION to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time . Motion Hearing set for 7/12/2019 at 10:00 AM in Alexandria Courtroom 301 before Magistrate Judge Ivan D. Davis. (dvanm,) (Entered: 07/05/2019)
07/05/2019		MOTIONS REFERRED to Magistrate Judge: Davis. 201 Consent MOTION to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time (dvanm,) (Entered: 07/05/2019)
07/05/2019	204	ORDER - After considering the 201 Plaintiffs' Unopposed Motion to Modify the Court's Scheduling Order for the Limited Purpose of Taking Depositions Out of Time, the Court GRANTS the Motion, and amends the Order, to permit the depositions of Dr. Donald Shell, Colonel Karen Downes, and Colonel Scott T. Frazier to be taken out of time. Signed by District Judge Leonie M. Brinkema on 07/05/2019. (dvanm,) (Entered: 07/05/2019)
07/12/2019	205	RESPONSE in Opposition re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit D, # 2 Exhibit G)(Harding, John) (Entered: 07/12/2019)
07/12/2019	206	MOTION to Seal <i>Exhibits A-C, E and F to Plaintiffs' Supplemental Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 07/12/2019)
07/12/2019	207	Notice of Filing Sealing Motion LCvR5(C) by Nick Harrison, OutServe-SLDN, Inc. re 206 MOTION to Seal <i>Exhibits A-C, E and F to Plaintiffs' Supplemental Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> (Harding, John) (Entered: 07/12/2019)
07/12/2019	208	Sealed Attachment/Exhibit(s) re 206 MOTION to Seal <i>Exhibits A-C, E and F to Plaintiffs' Supplemental Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> . (Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Exhibit E, # 4 Exhibit F)(Harding, John) (Entered: 07/12/2019)
07/12/2019	209	Memorandum in Support re 206 MOTION to Seal <i>Exhibits A-C, E and F to Plaintiffs' Supplemental Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 07/12/2019)

07/12/2019	210	Sealed Memorandum in Support re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> . (Attachments: # 1 Exhibit Batch 1, # 2 Exhibit Batch 2, # 3 Exhibit Batch 3, # 4 Exhibit Batch 4, # 5 Exhibit Batch 5)(McCotter, R.) (Entered: 07/12/2019)
07/12/2019	211	MOTION to Seal by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 07/12/2019)
07/12/2019	212	Notice of Under Seal Filing LCvR5 (B) by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense (McCotter, R.) (Entered: 07/12/2019)
07/12/2019	213	Memorandum in Support re 211 MOTION to Seal filed by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (McCotter, R.) (Entered: 07/12/2019)
07/12/2019	214	NOTICE by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense <i>SUBMISSION OF UNDER SEAL DVD</i> (McCotter, R.) (Entered: 07/12/2019)
07/15/2019	215	ORDER granting 206 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 07/15/2019. (dvanm,) (Entered: 07/15/2019)
07/15/2019	216	ORDER granting 211 Motion to Seal. The Court further ORDERS that Defendants shall confer with Plaintiffs regarding redactions and that Defendants will publicly file a redacted version by July 26, 2019. Defendants may redact only information that poses a reasonable risk of exposing the identities of HIV-positive service members or reveals OutServe's confidential business information. Signed by District Judge Leonie M. Brinkema on 07/15/2019. (dvanm,) (Entered: 07/15/2019)
07/19/2019	217	TRANSCRIPT of proceedings held on 5/16/2019, before Judge Leonie M. Brinkema, Court Reporter Anneliese Thomson, Telephone number 703-299-8595. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have thirty(30) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.vaed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the court reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 8/19/2019. Redacted Transcript Deadline set for 9/18/2019. Release of Transcript Restriction set for 10/17/2019.(thomson, anneliese) (Entered: 07/19/2019)

07/19/2019	218	EXHIBIT <i>Redacted Versions of Exhibits A-C, E and F related to D.E. No. 205 Response in Opposition to Docket Entry No. 154 Motion to Dismiss</i> by Nick Harrison, OutServe-SLDN, Inc... (Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Exhibit E, # 4 Exhibit F)(Harding, John) (Entered: 07/19/2019)
07/19/2019	219	MOTION to Stay <i>Summary Judgment and Trial Pending Appellate Ruling</i> by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (Attachments: # 1 Proposed Order, # 2 Exhibit Combined Exhibits)(McCotter, R.) (Entered: 07/19/2019)
07/19/2019	220	Notice of Hearing Date set for JULY 26, 2019 re 219 MOTION to Stay <i>Summary Judgment and Trial Pending Appellate Ruling</i> (McCotter, R.) (Entered: 07/19/2019)
07/19/2019	221	Reply to 210 Sealed Memorandum in Support filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A)(Harding, John) (Entered: 07/19/2019)
07/19/2019	222	MOTION to Seal <i>Exhibit B filed Simultaneously with Plaintiffs' Supplemental Response Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 07/19/2019)
07/19/2019	223	Notice of Under Seal Filing LCvR5 (B) by Nick Harrison, OutServe-SLDN, Inc. re 222 MOTION to Seal <i>Exhibit B filed Simultaneously with Plaintiffs' Supplemental Response Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> (Harding, John) (Entered: 07/19/2019)
07/19/2019	224	Sealed Attachment/Exhibit(s) re 222 MOTION to Seal <i>Exhibit B filed Simultaneously with Plaintiffs' Supplemental Response Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> . (Harding, John) (Entered: 07/19/2019)
07/19/2019	225	Memorandum in Support re 222 MOTION to Seal <i>Exhibit B filed Simultaneously with Plaintiffs' Supplemental Response Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 07/19/2019)
07/19/2019	226	ORDER granting 222 Motion to Seal <i>Exhibit B filed Simultaneously with Plaintiffs' Supplemental Response Brief in Opposition to Defendants' Renewed Motions to Dismiss Plaintiff OutServe-SLDN</i> . Signed by District Judge Leonie M. Brinkema on 7/19/2019. (see Order for details) (dest,) (Entered: 07/19/2019)

07/19/2019	227	Sealed Response/Reply/Opposition re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART</i> . (Attachments: # 1 Exhibit Combined Exhibits)(McCotter, R.) (Entered: 07/19/2019)
07/19/2019	228	MOTION to Seal by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(McCotter, R.) (Entered: 07/19/2019)
07/19/2019	229	Memorandum in Support re 228 MOTION to Seal filed by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense. (McCotter, R.) (Entered: 07/19/2019)
07/19/2019	230	Notice of Filing Sealing Motion LCvR5(C) by Mark Esper, Patrick M. Shanahan, U.S. Department of Defense (McCotter, R.) (Entered: 07/19/2019)
07/22/2019		Set Deadlines as to 219 MOTION to Stay <i>Summary Judgment and Trial Pending Appellate Ruling</i> . Motion Hearing set for 7/26/2019 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 07/22/2019)
07/22/2019	231	ORDER granting 228 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 07/22/2019. (dvanm,) (Entered: 07/22/2019)
07/22/2019	232	ORDERED that the caption of this civil action be and is AMENDED to substitute"Richard V. Spencer, Acting Secretary of Defense" for "Patrick M. Shanahan, Acting Secretaryof Defense." Signed by District Judge Leonie M. Brinkema on 07/22/2019. (dvanm,) (Entered: 07/22/2019)
07/22/2019	233	ORDERED that the hearing currently scheduled for defendants' motions to stay [1:18-cv-641, Dkt. No. 219; 1:18-cv-1565, Dkt. No. 214] be and is CANCELLED. The Court will rule on defendants' motions once plaintiffs have filed a response or opposition. Signed by District Judge Leonie M. Brinkema on 07/22/2019. (dvanm,) (Entered: 07/22/2019)
07/23/2019	234	EXHIBIT <i>Second Supplemental Exhibit List</i> by Nick Harrison, OutServe-SLDN, Inc... (Harding, John) (Entered: 07/23/2019)
07/24/2019	235	Opposition to 219 MOTION to Stay <i>Summary Judgment and Trial Pending Appellate Ruling</i> filed by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Exhibit A)(Harding, John) (Entered: 07/24/2019)
07/26/2019	236	RESPONSE in Support re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART REDACTED COPY OF BRIEF AND</i>

		<i>REDACTED EXHIBITS</i> filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Exhibit U through JJ REDACTED, # 2 Exhibit KK through AAA REDACTED)(McCotter, R.) (Entered: 07/26/2019)
07/26/2019	237	EXHIBIT <i>Redacted Version of Exhibit B to (221) Plaintiffs' Supplemental Opposition to Defendants' Renewed Motion to Dismiss</i> by Nick Harrison, OutServe-SLDN, Inc... (Harding, John) (Entered: 07/26/2019)
07/30/2019	238	MOTION to Withdraw as Attorney <i>for Cyrus T. Frelinghuysen</i> by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 07/30/2019)
07/31/2019	239	ORDER granting 238 Motion to Withdraw as Attorney.. Signed by District Judge Leonie M. Brinkema on 07/31/2019. (dvanm,) (Entered: 07/31/2019)
07/31/2019	240	REPLY to Response to Motion re 154 MOTION to Dismiss for Lack of Jurisdiction <i>IN PART REDACTED BRIEF AND EXHIBITS</i> filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Exhibit BBB to III REDACTED)(McCotter, R.) (Entered: 07/31/2019)
08/01/2019	241	ORDERED that the bench trial scheduled to begin on September 9, 2019 be and isCANCELLED; and it is further ORDERED that all proceedings in these civil actions be and are STAYED until further order of the Court. Signed by District Judge Leonie M. Brinkema on 08/01/2019. (dvanm,) (Entered: 08/01/2019)
08/27/2019	242	MOTION to Withdraw as Attorney by Nick Harrison, OutServe-SLDN, Inc.. (Cooley, Laura) (Entered: 08/27/2019)
08/28/2019	243	ORDER granting 242 Motion to Withdraw as Attorney. Attorney Laura Joy Cooley terminated. Signed by District Judge Leonie M. Brinkema on 08/28/2019. (dvanm,) (Entered: 08/28/2019)
09/03/2019	244	MOTION to Withdraw as Attorney <i>for Anthony C. Pinggera</i> by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 09/03/2019)
09/03/2019	245	ORDER granting 244 Motion to Withdraw as Attorney.. Signed by District Judge Leonie M. Brinkema on 09/03/2019. (dvanm,) (Entered: 09/03/2019)
03/10/2020	246	Financial Interest Disclosure Statement (Local Rule 7.1) by Nick Harrison, OutServe-SLDN, Inc.. (Harding, John) (Entered: 03/10/2020)

03/10/2020	247	Consent MOTION to Substitute Party by Nick Harrison, OutServe-SLDN, Inc.. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 03/10/2020)
03/11/2020	248	ORDER: Pursuant to Plaintiffs' consent motion, the Court hereby orders that: The Modern Military Association of America is substituted in place of OutServe-SLDN, Inc. in the above-captioned cases. The Clerk is requested to have the docket sheets reflect that OutServe-SLDN, Inc. is no longer a party and the Modern Military Association of America is a Plaintiff. Signed by District Judge Leonie M. Brinkema on 3/11/20. (yguy) (Entered: 03/11/2020)
03/11/2020	249	ORDER: ORDERED that this civil action be and is UNSTAYED. Additionally, based on a telephone conference held on the record on March 5, 2020 with attorneys for all parties present, it is hereby ORDERED that plaintiffs file their motion for summary judgment on all counts, which is not to exceed 70 pages, no later than May 4, 2020; that defendants file their combined brief in opposition and cross-motion for summary judgment on all counts, which is not to exceed 70 pages, no later than June 3, 2020; that plaintiffs file their combined brief in opposition and reply brief, which is not to exceed 40 pages, no later than July 2, 2020; and that defendants file their reply brief, which is not to exceed 40 pages, no later than July 20, 2020. (see order for details) Signed by District Judge Leonie M. Brinkema on 3/11/20. (yguy) (Entered: 03/11/2020)
03/27/2020	250	MEMORANDUM OPINION: For the reasons stated above, the defendants' motions to dismiss [Harrison, 0kt. 154; Roe, Dkt. 118] will be denied by an Order to be issued with this Memorandum Opinion. Signed by District Judge Leonie M. Brinkema on 3/27/20. (yguy) (Entered: 03/27/2020)
03/27/2020	251	ORDER: For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that the defendants' Renewed Motions to Dismiss [Harrison, Dkt. 154; Roe; 0kt. 118] be and are DENIED; and it is further ORDERED that the defendants correct the record to update the names of the defendants. Signed by District Judge Leonie M. Brinkema on 3/27/20. (yguy) (Entered: 03/27/2020)
05/04/2020	252	MOTION to Seal <i>Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Summary Judgment and Exhibits 4, 11, 13, 14-19, 42, 49, 62 and 63 in Support of Their Motion for Summary Judgment</i> by Nick Harrison, The Modern Military Association of America. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 05/04/2020)
05/04/2020	253	Notice of Filing Sealing Motion LCvR5(C) by Nick Harrison, The Modern Military Association of America re 252 MOTION to

		Seal <i>Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Summary Judgment and Exhibits 4, 11, 13, 14-19, 42, 49, 62 and 63 in Support of Their Motion for Summary Judgment</i> (Harding, John) (Entered: 05/04/2020)
05/04/2020	254	Memorandum in Support re 252 MOTION to Seal <i>Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Summary Judgment and Exhibits 4, 11, 13, 14-19, 42, 49, 62 and 63 in Support of Their Motion for Summary Judgment</i> filed by Nick Harrison, The Modern Military Association of America. (Harding, John) (Entered: 05/04/2020)
05/04/2020	255	Sealed Document re 252 MOTION to Seal <i>Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Summary Judgment and Exhibits 4, 11, 13, 14-19, 42, 49, 62 and 63 in Support of Their Motion for Summary Judgment</i> . (Attachments: # 1 Exhibit 4, # 2 Exhibit 11, # 3 Exhibit 13, # 4 Exhibit 14, # 5 Exhibit 15, # 6 Exhibit 16, # 7 Exhibit 17, # 8 Exhibit 18, # 9 Exhibit 19, # 10 Exhibit 42, # 11 Exhibit 49, # 12 Exhibit 62, # 13 Exhibit 63)(Harding, John) (Entered: 05/04/2020)
05/04/2020	256	MOTION for Summary Judgment by Nick Harrison, The Modern Military Association of America. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 05/04/2020)
05/04/2020	257	Memorandum in Support re 256 MOTION for Summary Judgment filed by Nick Harrison, The Modern Military Association of America. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39, # 40 Exhibit 40, # 41 Exhibit 41, # 42 Exhibit 42, # 43 Exhibit 43, # 44 Exhibit 44, Part 1 of 3, # 45 Exhibit 44, Part 2 of 3, # 46 Exhibit 44, Part 3 of 3, # 47 Exhibit 45, # 48 Exhibit 46, # 49 Exhibit 47, # 50 Exhibit 48, # 51 Exhibit 49, # 52 Exhibit 50, # 53 Exhibit 51, # 54 Exhibit 52, # 55 Exhibit 53, # 56 Exhibit 54, # 57 Exhibit 55, # 58 Exhibit 56, # 59 Exhibit 57, # 60 Exhibit 58, # 61 Exhibit 59, # 62 Exhibit 60, # 63 Exhibit 61, # 64 Exhibit 62, # 65 Exhibit 63)(Harding, John) (Entered: 05/04/2020)

05/04/2020	258	Notice of Hearing Date set for July 31, 2020 re 256 MOTION for Summary Judgment (Harding, John) (Entered: 05/04/2020)
05/05/2020		Set Deadlines as to 256 MOTION for Summary Judgment . Motion Hearing set for 7/31/2020 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 05/05/2020)
05/08/2020	259	ORDER granting 252 Motion to Seal Plaintiffs' Memorandum in Support of Plaintiffs' Motion for Summary Judgment and Exhibits 4, 11, 13, 14-19, 42, 49, 62 and 63 in Support of Their Motion for Summary Judgment. Signed by District Judge Leonie M. Brinkema on 5/8/2020. (aott) (Entered: 05/08/2020)
05/27/2020	260	NOTICE of Appearance by Dennis Carl Barghaan, Jr on behalf of Mark Esper, Richard V. Spencer, U.S. Department of Defense (Barghaan, Dennis) (Entered: 05/27/2020)
05/27/2020	261	Joint MOTION for Leave to File Excess Pages by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(Barghaan, Dennis) (Entered: 05/27/2020)
05/27/2020	262	ORDER granting 261 Motion for Leave to File Excess Pages. It is further ORDERED that Defendants' combined opposition to Plaintiffs' partial summary judgment motion and cross motion for summary judgment shall not exceed 80 pages and Defendants' reply brief shall not exceed 30 pages. Signed by District Judge Leonie M. Brinkema on 5/27/2020. (dvanm,) (Entered: 05/28/2020)
06/03/2020	263	MOTION for Summary Judgment by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	264	Memorandum in Support re 263 MOTION for Summary Judgment , 256 MOTION for Summary Judgment , Memorandum in Opposition filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Exhibit 1 (Part I), # 2 Exhibit 1 (Part II), # 3 Exhibit 1 (Part III), # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6)(Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	265	EXHIBIT by Mark Esper, Richard V. Spencer, U.S. Department of Defense.. (Attachments: # 1 Exhibit 7, # 2 Exhibit 8, # 3 Exhibit 9, # 4 Exhibit 10, # 5 Exhibit 11, # 6 Exhibit 12, # 7 Exhibit 13, # 8 Exhibit 14, # 9 Exhibit 15, # 10 Exhibit 16, # 11 Exhibit 17, # 12 Exhibit 18, # 13 Exhibit 19, # 14 Exhibit 20, # 15 Exhibit 21, # 16 Exhibit 22, # 17 Exhibit 23, # 18 Exhibit 24, # 19 Exhibit 25)(Barghaan, Dennis) (Entered: 06/03/2020)

06/03/2020	266	EXHIBIT by Mark Esper, Richard V. Spencer, U.S. Department of Defense.. (Attachments: # 1 Exhibit 26, # 2 Exhibit 27 (Part I), # 3 Exhibit 27 (Part II), # 4 Exhibit 28, # 5 Exhibit 29, # 6 Exhibit 30, # 7 Exhibit 31, # 8 Exhibit 32, # 9 Exhibit 33, # 10 Exhibit 34, # 11 Exhibit 35, # 12 Exhibit 36, # 13 Exhibit 37, # 14 Exhibit 38, # 15 Exhibit 39, # 16 Exhibit 40, # 17 Exhibit 41, # 18 Exhibit 42, # 19 Exhibit 43, # 20 Exhibit 44, # 21 Exhibit 45, # 22 Exhibit 46)(Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	267	EXHIBIT by Mark Esper, Richard V. Spencer, U.S. Department of Defense.. (Attachments: # 1 Exhibit 47, # 2 Exhibit 48, # 3 Exhibit 49, # 4 Exhibit 50, # 5 Exhibit 51, # 6 Exhibit 52, # 7 Exhibit 53, # 8 Exhibit 54, # 9 Exhibit 55, # 10 Exhibit 56, # 11 Exhibit 57, # 12 Exhibit 58, # 13 Exhibit 59, # 14 Exhibit 60)(Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	268	Notice of Hearing Date set for 7/31/2020 re 263 MOTION for Summary Judgment (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	269	MOTION to Seal <i>Certain Summary Judgment Filings</i> by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	270	Memorandum in Support re 269 MOTION to Seal <i>Certain Summary Judgment Filings</i> filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	271	Notice of Under Seal Filing LCvR5 (B) by Mark Esper, Richard V. Spencer, U.S. Department of Defense re 269 MOTION to Seal <i>Certain Summary Judgment Filings</i> (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	272	Sealed Memorandum in Support re 264 Memorandum in Support,, Memorandum in Opposition,. (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	273	Sealed Document re 264 Memorandum in Support,, Memorandum in Opposition,. (Attachments: # 1 Exhibit 15, # 2 Exhibit 25, # 3 Exhibit 28, # 4 Exhibit 30, # 5 Exhibit 31, # 6 Exhibit 44, # 7 Exhibit 58, # 8 Exhibit 60)(Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	274	MOTION to Exclude <i>Evidence</i> by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 06/03/2020)
06/03/2020	275	Memorandum in Support re 274 MOTION to Exclude <i>Evidence</i> filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Exhibit A)(Barghaan, Dennis) (Entered: 06/03/2020)

06/03/2020	276	Notice of Hearing Date set for 7/31/20 re 274 MOTION to Exclude <i>Evidence</i> (Barghaan, Dennis) (Entered: 06/03/2020)
06/04/2020		Set Deadlines as to 274 MOTION to Exclude <i>Evidence</i> , 263 MOTION for Summary Judgment . Motion Hearing set for 7/31/2020 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (clar,) (Entered: 06/04/2020)
06/04/2020	277	ORDER granting 269 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 06/04/2020. (dvanm,) (Entered: 06/04/2020)
06/10/2020	278	Consent MOTION for Extension of <i>Briefing Deadlines</i> by Nick Harrison, OutServe-SLDN, Inc., The Modern Military Association of America. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 06/10/2020)
06/10/2020	279	ORDERED that defendant's Motion to Exclude Evidence [Harrison, Dkt. 274; Roe, Dkt. 286] be and is DENIED; and it is further ORDERED that plaintiffs Motion for Extension of Briefing Deadlines [Harrison, Dkt. 279; Roe, Dkt. 290] be and is DENIED as moot. Signed by District Judge Leonie M. Brinkema on 06/10/2020. (dvanm,) (Entered: 06/10/2020)
06/11/2020	280	NOTICE by Mark Esper, Richard V. Spencer, U.S. Department of Defense re 275 Memorandum in Support, 272 Sealed Memorandum in Support, 264 Memorandum in Support,, Memorandum in Opposition, of <i>Errata</i> (Attachments: # 1 Exhibit 22 (Refiled), # 2 Exhibit 35 (Refiled))(Barghaan, Dennis) (Entered: 06/11/2020)
06/22/2020	281	ORDERED that the hearing currently scheduled for Friday, July 31, 2020 at 10:00 a.m. be and is RESCHEDULED for Tuesday, August 4, 2020 at 11:00 a.m. Signed by District Judge Leonie M. Brinkema on 06/22/2020. (jlan) (Entered: 06/22/2020)
06/22/2020		Reset Hearing as to 256 MOTION for Summary Judgment , 263 MOTION for Summary Judgment . Motion Hearing set for 8/4/2020 at 11:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (jlan) (Entered: 06/22/2020)
07/02/2020	282	MOTION to Seal <i>Plaintiffs' Combined Reply in Support of Plaintiffs' Motions for Summary Judgment and Opposition to Defendants' Motions for Summary Judgment and Exhibits 64, 70, and 76</i> by Nick Harrison, OutServe-SLDN, Inc., The Modern Military Association of America. (Attachments: # 1 Proposed Order)(Harding, John) (Entered: 07/02/2020)

07/02/2020	283	Memorandum in Support re 282 MOTION to Seal <i>Plaintiffs' Combined Reply in Support of Plaintiffs' Motions for Summary Judgment and Opposition to Defendants' Motions for Summary Judgment and Exhibits 64, 70, and 76</i> filed by Nick Harrison, OutServe-SLDN, Inc., The Modern Military Association of America. (Harding, John) (Entered: 07/02/2020)
07/02/2020	284	Notice of Filing Sealing Motion LCvR5(C) by Nick Harrison, The Modern Military Association of America re 282 MOTION to Seal <i>Plaintiffs' Combined Reply in Support of Plaintiffs' Motions for Summary Judgment and Opposition to Defendants' Motions for Summary Judgment and Exhibits 64, 70, and 76</i> (Harding, John) (Entered: 07/02/2020)
07/02/2020	285	Sealed Response/Reply/Opposition re 263 MOTION for Summary Judgment , 256 MOTION for Summary Judgment . (Attachments: # 1 Exhibit 64, # 2 Exhibit 70, # 3 Exhibit 76)(Harding, John) (Entered: 07/02/2020)
07/02/2020	286	Reply to Motion re 263 MOTION for Summary Judgment , 256 MOTION for Summary Judgment , RESPONSE in Opposition filed by Nick Harrison, OutServe-SLDN, Inc., The Modern Military Association of America. (Attachments: # 1 Exhibit 64 (Filed Under Seal), # 2 Exhibit 65, # 3 Exhibit 66, # 4 Exhibit 67, # 5 Exhibit 68, # 6 Exhibit 69, # 7 Exhibit 70 (Filed Under Seal), # 8 Exhibit 71, # 9 Exhibit 72, # 10 Exhibit 73, # 11 Exhibit 74, # 12 Exhibit 75, # 13 Exhibit 76 (Filed Under Seal))(Harding, John) (Entered: 07/02/2020)
07/06/2020	287	ORDER granting 282 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 7/6/2020. (dvanm,) (Entered: 07/06/2020)
07/20/2020	288	REPLY to Response to Motion re 263 MOTION for Summary Judgment filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Exhibit Ex 61, # 2 Exhibit Ex 62, # 3 Exhibit Ex 63, # 4 Exhibit Ex 64 (Placeholder for Under Seal Ex), # 5 Exhibit Ex 65 (Placeholder for Under Seal Ex), # 6 Exhibit Ex 66, # 7 Exhibit Ex 67, # 8 Exhibit Ex 68, # 9 Exhibit Ex 69, # 10 Exhibit Ex 70, # 11 Exhibit Ex 71)(Barghaan, Dennis) (Entered: 07/20/2020)
07/20/2020	289	MOTION to Seal <i>Certain Summary Judgment Reply Filings</i> by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Attachments: # 1 Proposed Order)(Barghaan, Dennis) (Entered: 07/20/2020)
07/20/2020	290	Sealed Document re 288 Reply to Response to Motion, 289 MOTION to Seal <i>Certain Summary Judgment Reply Filings</i> . (Attachments:

		# 1 Exhibit Ex 64, # 2 Exhibit Ex 65, # 3 Exhibit Ex 29 (erroneously omitted from Dkt. 273))(Barghaan, Dennis) (Entered: 07/20/2020)
07/20/2020	291	Memorandum in Support re 289 MOTION to Seal <i>Certain Summary Judgment Reply Filings</i> filed by Mark Esper, Richard V. Spencer, U.S. Department of Defense. (Barghaan, Dennis) (Entered: 07/20/2020)
07/20/2020	292	Notice of Under Seal Filing LCvR5 (B) by Mark Esper, Richard V. Spencer, U.S. Department of Defense re 289 MOTION to Seal <i>Certain Summary Judgment Reply Filings</i> (Barghaan, Dennis) (Entered: 07/20/2020)
07/21/2020	293	SO ORDERED re 289 Motion to Seal. Signed by District Judge Leonie M. Brinkema on 07/21/2020. (dvanm,) (Entered: 07/21/2020)
07/30/2020	294	ORDER cancelling the summary judgment hearing currently scheduled for Tuesday, August 4, 2020 at 11:00 a.m; directing that a new date for the hearing will be set in the near future. Signed by Magistrate Judge Ivan D. Davis on 7/30/2020. (aott,) (Entered: 07/30/2020)
07/30/2020		***Motion Hearing terminated- Per ECF 294*** (aott,) (Entered: 07/30/2020)
08/06/2020	295	ORDER directing that the summary judgment hearing previously scheduled for Tuesday, August 4, 2020 be and is RESCHEDULED for Tuesday, August 18, 2020 at 2:00 p.m. Whether the hearing will be conducted in-person or remotely will be determined closer to the hearing date.Hearing set for 8/18/2020 at 02:00 PM before District Judge Leonie M. Brinkema. Signed by District Judge Leonie M. Brinkema on 8/6/2020. (aott,) (Entered: 08/06/2020)
08/13/2020	296	ORDERED that the summary judgment hearing previously scheduled for Tuesday,August 18, 2020 at 2:00 p.m. be and is CONTINUED until Monday, September 14, 2020 at 10:00 a.m. The hearing will be conducted in person due to the importance of these actions. Signed by District Judge Leonie M. Brinkema on 08/13/2020. (dvanm,) (Entered: 08/13/2020)
08/13/2020		Alexandria Reset Hearings: Summary Judgment Hearing set for 9/14/2020 at 10:00 AM in Alexandria Courtroom 701 before District Judge Leonie M. Brinkema. (dvanm,) (Entered: 08/13/2020)
08/13/2020		Alexandria Reset Hearings: Summary Judgment Hearing set for 9/14/2020 at 10:00 AM in Alexandria Courtroom 700 before District Judge Leonie M. Brinkema. (dvanm,) (Entered: 08/13/2020)

09/09/2020	297	NOTICE by Nick Harrison, OutServe-SLDN, Inc., The Modern Military Association of America <i>of Related Case</i> (Attachments: # 1 Exhibit A)(Harding, John) (Entered: 09/09/2020)
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